

DECISION

Request No.: 09

Protest

Event: St Maarten Heineken Regatta Race Number: 4
Hearing Schedule: 2022-03-06 15:45

PARTIES AND WITNESSES

Request No.: 09: CSA 5 - CSA 5 - SXM 605 - Team Island Water World - Frits Bus

CSA 5 - CSA 5 - AH0 5 - F.K.G. - Andrea Scarabelli

Witnesses: Crew on IWW & crew on Wannabe

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: Yes

Decision: Request Valid

PROCEDURAL MATTERS

FACTS FOUND

The RC announced over the VHF that Course C was to be sailed for CSA 5 class around 9:00am and then again around 9:15am, as well as displaying the course on a board on the stern of the RC boat.

Around 15 minutes later, the RC re-announced over the VHF that the Course to be sailed for CSA 5 class was Course A, as well as displaying the course on a board on the stern of the RC boat.

According to SI 10 the windward mark for Course C was an Orange colored mark, and Yellow for Course A.

Team Island Water World and Wanna-B rounded the orange windward mark.

F.K.G. rounded the yellow windward mark.

The distance between the yellow (Course A) and the orange (Course C) marks was 0.1 nm, with the yellow mark directly to windward of the other.

According to the RC the length of Course A and C were 3.8 nm and 3.4 nm respectively.

Diagram: No Diagram Needed

CONCLUSIONS AND RULES THAT APPLY

Rules: 28.1, 62.1(a)

By not rounding the yellow windward mark, Team Island Water World and Wanna-B failed to sail the course as finally announced and displayed by the RC, breaking RRS 28.1.

By announcing two different courses to be sailed, the RC made an improper action, confusing the fleet as to which was the right Course to be sailed. Team Island Water World and Wanna-B's score [DSQ] was made significantly worse through no fault of their own, by the error of the RC and therefore are entitled to redress.

DECISION

Date & Time: 2022-03-06 16:50 -04

Team Island Water World and Wanna-B are DSQ from Race #4 but are given redress as follows: Their score shall be their elapsed time multiplied by the factor representing the difference between the course lengths.

PROTEST COMMITTEE

Chaired By: Sylvie Harle (FRA)

Committee Members: Elliot Levy (VEN), Alfred 'Pat' Bailey (ISV), Eric Tulla (PUR), David de Vries (Sint Maarten (Dutch part))